

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

Crl.Rev.Pet.No. 597 of 2007()

CRA.250/2006 of ADDL.SESIONS COURT (ADHOC), ALAPPUZHA
CC.498/2004 of JDUL.MAGISTRATE OF FIRST CLASS, RAMANKARI
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REVN. PETITIONER: APPELLANT/ACCUSED

JOSEPH ABRAHAM, S/O.ABRAHAM, AGED 55,
THEKKEKARA VEEDU, C/O.BADHEL INDIA GOSPEL MINI
STREET, MANGADI P.O., THIRUVALLA (SHOWN IN THE
JUDGMENTS) (CHRIST VILLA, KURISUMOODU P.O.,
CHANGANACHERRY- ORIGINAL ADDRESS).

BY ADV. SRI.JOSEPH GEORGE

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

1. KUNJARIA JOHN,
THEKKEKKARA VEEDU, NALUKODI,
CHANGANACHERRY.

2. STATE OF KERALA, REP.BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.JOHN VARGHESE
SRI.K.S.SAJEEV KUMAR
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 13/09/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 597 of 2007

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Dated: 13-09-2007

ORDER

The accused in C.C. 498 of 2004 on the **file** of the Judl. First class Magistrate, Ramankary, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9636 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

3. A sum of Rs. 30,000/- deposited by the revision petitioner pursuant to the orders of the first appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

**V. RAMKUMAR,
(JUDGE)**

ani.

